

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

CHEN CHEN,

## Plaintiffs,

V.

ALEJANDRO N. MAYORKAS,  
SECRETARY OF THE DEPARTMENT  
OF HOMELAND SECURITY;  
MERRICK GARLAND, ATTORNEY  
GENERAL OF THE UNITED STATES;  
DAVID M. RADEL, DIRECTOR LOS  
ANGELES ASYLUM OFFICE

## Defendants

No. 2:22-CV-09393-PA-(MARx)

## ORDER DISMISSING CASE

Honorable Percy Anderson  
United States District Judge

Having read and considered the Joint Stipulation to Dismiss the Case submitted by the parties, and finding good cause therefor,

IT IS HEREBY ORDERED that:

1. The instant action shall be dismissed without prejudice;
2. USCIS shall interview Plaintiff on March 16, 2023, at 8:45 a.m., at the Los Angeles Asylum Office in Tustin, California. USCIS intends to conduct the interview on the date set, however, the parties understand that due to unexpected staffing limitations or other unforeseen circumstances that may arise, USCIS reserves its right to cancel and reschedule the interview. Should rescheduling be necessary, the interview will be rescheduled within four (4) weeks of the original interview date, absent unforeseen or exceptional circumstances;
3. Plaintiff agrees to attend the interview on the date listed above, absent unforeseen or exceptional circumstances;
4. If needed, Plaintiff agrees to only make one (1) interview reschedule request and to notify the Los Angeles Asylum Office of the reschedule request, in writing, prior to the scheduled interview date. Plaintiff may email the reschedule request to [LosAngelesAsylum@uscis.dhs.gov](mailto:LosAngelesAsylum@uscis.dhs.gov);
5. If multiple reschedule requests are made by Plaintiff, USCIS may place the asylum application back into the Los Angeles Asylum Office's general interview scheduling priorities. *See* <https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/affirmative-asylum-interview-scheduling>;
6. Plaintiff understands that additional interview(s) may be required by USCIS as part of the asylum interview process and the adjudication of the application;
7. USCIS agrees to diligently work towards completing adjudication of the asylum application within 120 days of completion of Plaintiff's asylum

1 interview, absent unforeseen or exceptional circumstances that would  
2 require additional time to complete adjudication;

3 8. In the event that USCIS does not complete adjudication of the asylum  
4 application within 120 days of the completion of the asylum interview,  
5 Plaintiff may refile this action;

6 9. Plaintiff agrees to submit all supplemental documents and evidence, if any,  
7 to USCIS prior to the agreed upon scheduled interview based on the  
8 following timelines. Plaintiff may email any supplemental documents to  
9 LosAngelesAsylum@uscis.dhs.gov at least seven (7) calendar days before  
10 the interview. Alternatively, Plaintiff may mail the supplemental documents  
11 to the Los Angeles Asylum Office, P.O. Box 2003, Tustin, CA 92781-2003,  
12 postmarked no later than ten (10) calendar days prior to the scheduled  
13 asylum interview. Plaintiff recognizes that failure to submit these  
14 documents in a timely manner may result in the interview being rescheduled  
15 at no fault of USCIS;

16 10. Each party agrees to bear his, her or its own litigation costs, expenses, and  
17 attorney fees.

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19 Dated: March 8, 2023

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22 PERCY ANDERSON

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24 UNITED STATES DISTRICT JUDGE

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